

Message Text

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TO AMEMBASSY MEXICO IMMEDIATE

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NODIS
EYES ONLY FOR AMBASSADOR JOVA FROM SHLAUDEMAN

FOL TEL SENT ACTION SECSTATE FROM USUN NEW YORK DTD 14 AUG 1976
QTE

S E C R E T USUN 3239

NODIS

FROM: LOS DEL

E.O. 11652: GDS
TAGS: PFOR, PLOS
SUBJ: SECRETARY'S MEETING WITH HEAD OF MEXICAN LOS DELEGATION
TELLO

1. THE MEXICAN SIDE PROVIDED A CATALOG OF ISSUES IN COMMITTEE I, ON WHICH THEY HELD STRONG VIEWS AND DEMANDED MUCH GREATER FLEXIBILITY FROM THE UNITED STATES. THE SECRETARY RESPONDED TO SOME OF THEIR COMPLAINTS, AND EXPRESSED THE HOPE THAT THE MEXICAN DELEGATION WOULD TONE DOWN ITS ATTACKS ON THE UNITED STATES AND ON THE RESULTS WHICH EMERGED FROM THE LAST SESSION OF THE CONFERENCE.

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2. COMMITTEE I: MEXICO RAISED SEVEN ISSUES. FIRST, THEY

WANTED THE ENTERPRISE TO BE MADE MORE VIABLE AND INDICATED THAT THE TREATY WOULD NOT BE ACCEPTABLE TO THEM UNLESS IT COULD BE SEEN THAT THE ENTERPRISE COULD BE IN BUSINESS WITHIN 10 TO 15 YEARS. THE SECRETARY REPLIED THAT THIS WAS A REASONABLE REQUEST AND THAT HE HAD TOLD THE MEXICAN FOREIGN MINISTER, IN HIS RECENT VISIT TO MEXICO, THAT HE WOULD STUDY THE QUESTION AND HOPED TO FIND SOLUTIONS. SECOND, THE MEXICANS INSISTED THAT, AS COPPER PRODUCERS, THEY WERE NOT SATISFIED WITH ARTICLE 9 OF THE REVISED SNT; THAT THEIR PROBLEM AS PRODUCERS WOULD ONLY BEGIN AT THE END OF THE 20-YEAR PRODUCTION LIMIT AND THAT, THEREFORE, THEY WOULD INSIST THAT THE AUTHORITY HAVE PERMANENT POWERS TO REGULATE PRODUCTION AND HAVE MORE WEIGHT IN A COMMODITY AGREEMENT THAN WOULD BE REPRESENTED BY THE PRODUCTION OF THE ENTERPRISE. THE SECRETARY INDICATED THAT WE WERE ALREADY HAVING DIFFICULTY SELLING A TEMPORARY PRODUCTION LIMIT IN THE REVISED SNT TO CONGRESS, THAT THIS WAS A VERY DIFFICULT ISSUE FOR US, THAT MEXICO COULD NOT EXPECT FURTHER FLEXIBILITY ON THIS POINT. HE QUERIED THE MEXICANS AS TO WHY THEY COULD NOT RELY ON FUTURE RESULTS OF COMMODITY DISCUSSIONS WHICH WERE GOING IN A DIRECTION MEXICO SHOULD FIND SATISFACTORY. THE MEXICANS WERE NOT RESPONSIVE TO THIS POINT. THIRD, MEXICO STRESSED THAT IT COULD BE MORE FORTHCOMING IF THE UNITED STATES WOULD AGREE TO INCLUDE A PROVISION IN THE TREATY FOR AN AUTOMATIC REVIEW OF PART I AFTER ABOUT 20 YEARS OR THE END OF THE FIRST GENERATION OF MINING. THE SECRETARY REPLIED THAT THIS WAS A MATTER WOULD COULD STUDY AND THAT HAD NOT HEARD OF ITS BEFORE AND WOULD LOOK INTO IT DURING THE INTERVENING PERIOD BEFORE HE RETURNED TO NEW YORK. FOURTH, THE MEXICANS PROPOSED THAT ANY CONTRACTS WHICH WERE STILL IN FORCE AT THE TIME OF REVIEW SHOULD ALSO BE SUBJECT TO BEING REVISED OR CANCELLED. THE SECRETARY DID NOT INDICATE ANY FLEXIBILITY ON THIS POINT. FIFTH, THE MEXICANS SAID THAT THEY WANT A QUOTA OR ANTI-MONOPLOY PROVISION FOR THEIR OWN PROTECTION, BUT WOULD START THE BALL ROLLING IN THE GROUP OF 77, SINCE THEY KNEW THERE WERE DEEP DIVISIONS AMONG THE INDUSTRIALIZED COUNTRIES. HOWEVER, THEY STRESSED THAT THEY SECRET

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DID NOT PRESENTLY LIKE THE ACCESS SYSTEM; AND IMPLIED THAT THEY WOULD STIR UP THE GROUP OF 77 ON THE QUOTA SYSTEM, IF WE WERE NOT MORE FLEXIBLE ON THE ACCESS SYSTEM. THE SECRETARY REACTED SHARPLY TO THEIR COMMENTS AND DID NOT INDICATE ANY FLEXIBILITY. SIXTH, THE MEXICANS INSISTED THAT, AS PRESENTLY DRAFTED, THE BANKING SYSTEM ALLOWED INDUSTRIALIZED COUNTRIES TO USE DEVELOPING COUNTRIES AS FLAGS OF CONVENIENCE; AND, FOR

THAT REASON, THEY WISHED TO SEE THE BANKED MINESITES RESERVED EXCLUSIVELY FOR THE ENTERPRISE. THE SECRETARY INDICATED THAT, ON THIS POINT, THEIR POSITION WAS REASONABLE, AND WE WOULD STUDY WAYS OF DEALING WITH THE "FLAG OF CONVENIENCE" PROBLEM. SEVENTH, THE MEXICANS COMPLAINED BITTERLY THAT A FEW COUNTRIES, PARTICULARLY THE UNITED STATES, PERU, AND BRAZIL, MANIPULATED THE LAST SESSION OF THE CONFERENCE, DRAGGING MEXICO ALONG; MEXICO THEN REALIZED THAT IMPORTANT NATIONAL INTERESTS WERE BEING SACRIFICED AND LEFT THE SECRET BRAZIL GROUP. THE SECRETARY FOUND IT HARD TO BELIEVE THAT WE HAD BEEN ABLE TO MANIPULATE PERU AND BRAZIL, BUT AGREED THAT WE SHOULD TRY TO FIND PROCEDURES FOR FURTHER NEGOTIATION WHICH WOULD NOT GIVE RISE TO THIS IMPRESSION. IN THAT CONNECTION, THE MEXICANS STRESSED THAT THE UNITED STATES MUST BE PREPARED TO RENEGOTIATE THE FUNDAMENTAL ISSUES IN COMMITTEE I OR WE WOULD FIND THE REVISED SNT TO BE AN ILLUSORY ACHIEVEMENT.

3. DURING THE COURSE OF THE DISCUSSIONS, THE SECRETARY STRESSED THAT THE CONCESSIONS BEING DEMANDED BY MEXICO WOULD REQUIRE US TO HAVE A COUNCIL WITH AN EFFECTIVE VETO FOR THE UNITED STATES. HE OBTAINED A CLEAR STATEMENT FROM THE MEXICANS THAT THEY WOULD ACCEPT THE DUAL-ACCESS SYSTEM FOR EXPLOITATION AND URGED THEM TO LOWER THE VOLUME OF THEIR RHETORIC, PARTICULARLY THEIR ATTACKS ON THE UNITED STATES.

4. COMMITTEE II: THE EXCHANGE OF VIEWS ON COMMITTEE II ISSUES WAS QUITE BRIEF. THE MEXICAN PORTRAYED THEIR POSITION ON THE LEGAL STATUS OF THE ECONOMIC ZONE AS BEING A COMPROMISE APPROACH BETWEEN THE EXTREME VIEWS OF THE TERRITORIALISTS ON THE ONE HAND AND THE
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MARITIME COUNTRIES, LIKE THE UNITED STATES, ON THE OTHER. THE SECRETARY REPLIED THAT IT WAS IMPORTANT TO STRESS PRACTICAL ASPECTS OF THE ECONOMIC ZONE AND NOT THE LABELS. HE SAID THE IMPORTANT THING ABOUT THIS ISSUE WAS THAT WE SAFEGUARD OUR INTERESTS, AND SUGGESTED THAT EFFORTS BE MADE TO WORK OUT THE DETAILED PROVISIONS ON THE RIGHTS OF COASTAL STATES AND OTHERS IN THE ECONOMIC ZONE.

5. COMMITTEE III: THE MEXICANS STRESSED TWO POINTS IN REGARD TO SCIENTIFIC RESEARCH. FIRST, THAT COASTAL STATES SHOULD ALWAYS BE ENTITLED TO NOTICE OF RESEARCH, AND SECOND, THAT THEY SHOULD HAVE A RIGHT TO GIVE THEIR CONSENT WHICH SHOULD NOT NORMALLY BE DENIED. THE SECRETARY SAID THAT THE CRITERIA FOR AUTOMATIC CONSENT

SHOULD BE CLEARLY DEFINED BECAUSE, IF LEFT VAGUE,
COASTAL STATES WOULD BE ABLE TO DENY ALMOST ANYTHING.
HE SUGGESTED THAT SPECIAL ATTENTION BE GIVEN TO DEFINING
RESOURCE-RELATED RESEARCH ON THE ONE HAND, AND
FUNDAMENTAL RESEARCH ON THE OTHER. HE INDICATED WE
COULD LOOK AT THIS PROBLEM, BUT IT SHOULD NOT BE IMPLIED
THAT WE COULD NOT NECESSARILY ACCEPT SUCH A SOLUTION. BENNETT
UNQTE ROBINSON

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